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SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: HUMAN SETTLEMENTS

Implementation of and follow-up to the outcome of the United Nations Conference on Human Settlements (Habitat II)

Report of the Secretary-General

SUMMARY

The present report has been prepared pursuant to General Assembly resolution 50/100 of 20 December 1995 in which the Assembly invited the Secretary-General to report to the Assembly at its fifty-first session on the implementation of and follow-up to the outcome of the United Nations Conference on Human Settlements (Habitat II). The report draws on documentation emanating from the Conference - the Istanbul Declaration on Human Settlements, the Habitat Agenda, commitments of major groups and national plans of action, and major reviews of conditions and trends - that is relevant to national and international strategies for action, and to the roles and responsibilities of the various partners in development, including the United Nations system.

The Habitat Agenda, adopted by consensus at Habitat II in Istanbul, recognizes that progress in creating adequate shelter for all and sustainable human settlements will ultimately depend upon the full mobilization of civil society. Its implementation will take place largely at the local level and must involve a variety of partners. Accordingly, the Habitat Agenda proposes strategies that emphasize the empowerment of people and the building of effective participatory institutions, especially at the local level. A high priority envisaged for the United Nations system is to help national Governments and their partners at all levels attain these strategic objectives.

Because the United Nations system plays a predominantly supporting or facilitating role in shelter and settlements development, it will be necessary

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for national and local priorities for assistance to be further elaborated before the substantive character of United Nations follow-up to Habitat II can be fully defined. At the same time, during the preparatory process for the Conference, 124 countries submitted national reports and 100 of those reports contained five-year national plans of action in which priorities for assistance were outlined. A summary of needs as expressed in those plans was used to help focus the initial recommendations in this report. (See the note by the Secretariat transmitting the report of the Secretary-General on national reports and national plans of action (A/CONF.165/CRP.5), presented to the Conference, in Istanbul, 3-14 June 1996.) The continuation of national planning processes, to which priorities for national action and international assistance must be related, is one of the essential requirements for effective implementation and follow-up.

One of the main characteristics of Habitat II was its way of introducing innovative mechanisms to forge a set of partnerships between the United Nations and organizations representing the civil society. Encouraged by the Habitat II secretariat, national committees included among their members representatives of local authorities and other major groups. Across the world, local, national, regional and global partners sponsored and participated in workshops, conferences, round-table meetings and other dialogues on human settlements issues. At the Conference itself, an array of "parallel activities" served to crystallize the positions of local authorities and of various groups around issues being debated by national delegations in connection with the elaboration of the Habitat Agenda in Committee I. These positions, indicating the partners' commitments and strategies to implement the Habitat Agenda, were then presented to Committee II of the Conference in its hearings meetings. These hearings, by helping to define the interests, abilities and potential roles of different groups of partners, introduced new relationships into the human settlements and shelter development equation, at both the national and international levels, which the United Nations system must now help develop further, inter alia, by becoming itself more systematic in promoting participatory processes, more comprehensive in its approach to the problems of human settlements, and more inclusive in its activities.

This report endeavours to identify, on the basis of the recommendations emanating from the Conference, the institutional arrangements, substantive activities and coordinating mechanisms that should enable the United Nations system to respond effectively to the outcome of Habitat II.

As stated in paragraph 15 of the Istanbul Declaration on Human Settlements:

> "This Conference in Istanbul marks a new era of cooperation, an era of a culture of solidarity. As we move into the twenty-first century, we offer a positive vision of sustainable human settlements, a sense of hope for our common future and an exhortation to join a truly worthwhile and engaging challenge, that of building together a world where everyone can live in a safe home with the promise of a decent life of dignity, good health, safety, happiness and hope."

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I. INTRODUCTION

1. In its resolution 47/180 of 22 December 1992, the General Assembly, concerned that people's living environments were deteriorating and in urgent need of concerted international attention, decided to convene the United Nations Conference on Human Settlements (Habitat II) in 1996 and to establish a preparatory committee for the Conference, and requested the Secretary-General to establish an ad hoc secretariat for the Conference. In its resolution 50/100 of 20 December 1995, the Assembly, having considered the report of the Preparatory Committee for the Conference on its second substantive session, 1/ together with the report of the Secretary-General on preparations for the Conference (A/50/519), invited the Secretary-General to report to the Assembly at its fifty-first session on the implementation of and follow-up to the outcome of the Conference undertaken by the organizations and bodies of the United Nations system, including the role played by the United Nations Centre for Human Settlements (Habitat) in that process. The present report has been prepared pursuant to that invitation.

2. The timing of Habitat II, held in Istanbul, Turkey, from 3 to 14 June 1996, meant that the Conference became the last in a series of United Nations conferences dealing with global issues of special importance to human welfare, ranging from environmental sustainability, human rights and the effects of disasters, to the welfare of children, population growth, social development, the advancement of women, and trade and development. This series of global conferences have proved invaluable in raising awareness of human and environmental conditions around the world and in enjoining national Governments and the international community to act to improve those conditions.

3. In deciding to convene a conference on human settlements, the General Assembly gave recognition to the fundamental notion that it is within our settlements - our cities, towns and villages - that many issues of common importance to human welfare converge. It is in their settlements that people learn to live together in peace and solidarity and where the array of seemingly distinct problems become socially and politically interrelated. It is thus in settlements that several of the principles, commitments, plans and programmes resulting from the various global conferences of the past decade will be realized. Habitat II was thus from this point of view a challenge to Member States to further translate many of the statements of principle and commitment made in various global conferences into concerted action. This challenge is articulated in the Habitat Agenda 2/ (embodying the goals and principles, commitments and global plan of action adopted by the Conference) which addresses capacity-building, institutional development, international cooperation, implementation and follow-up.

4. The main message arising from Habitat II is the proposition that the matrix of human development problems can find a resolution through civic engagement, popular participation, solidarity and partnership; public-spirited leadership; the generation, transfer and application of knowledge and expertise; and the mobilization and effective management of available resources at all levels. To be an effective agent in the struggle to improve people's lives and living

environments, the United Nations must itself become a stronger and more open system so as to epitomize commitment to achieving these same objectives.

II. RESULTS OF THE UNITED NATIONS CONFERENCE ON HUMAN SETTLEMENTS (HABITAT II)

5. The substantive outcome of the United Nations Conference on Human Settlements (Habitat II) is embodied in two major documents adopted by the Conference: (a) the Istanbul Declaration on Human Settlements 3/ and (b) the Habitat Agenda, comprising goals and principles, commitments and global plan of action.

A. Istanbul Declaration on Human Settlements

6. Adopted by consensus at Habitat II, the Istanbul Declaration on Human Settlements is a concise 15-paragraph document that expresses the political commitment of heads of the State or Government and delegations participating in the Conference to implement the Habitat Agenda. Although this document was not specifically mandated by the General Assembly in its resolution 47/180 as an output of Habitat II, delegations considered that such a document was needed to provide (a) an eloquent yet simple statement on the goals of Habitat II and on its results and (b) a call to action at the highest political level in implementing the Habitat Agenda.

7. The Istanbul Declaration acknowledges the positive role of human settlements as well as the major challenges to their sustainability. While recognizing the global spread of human settlements-related issues and problems, the Istanbul Declaration is mindful of the fact that contextual variations from country to country call for national and local implementation of the Habitat Agenda. It takes into account the needs of vulnerable and disadvantaged groups and reaffirms, among other things, the "commitment to the full and progressive realization of the right to adequate housing as provided for in international instruments". The Istanbul Declaration sets forth the commitment of Member States to improving the quality of the living environment by furthering a series of objectives including sustainable patterns of consumption and production, pollution prevention, and respect for the carrying capacity of ecosystems.

8. The Istanbul Declaration strongly endorses the enabling strategy embodied in the Habitat Agenda and the principles of partnership and participation as "the most democratic and effective approach" to implementing it. It makes a commitment to decentralization and capacity-building, while ensuring transparency, accountability and responsiveness to the needs of people, especially at the local level. Finally, the Istanbul Declaration reiterates the financial commitments set out in recent United Nations conferences and calls for the role and functions of the United Nations Centre for Human Settlements (Habitat) to be strengthened, "taking into account the need for the Centre to focus on well-defined and thoroughly developed objectives and strategic issues".

9. The Istanbul Declaration is a strong statement of policy among States to the effect that the principles, commitments, objectives and actions embodied in

the Habitat Agenda are immediate priorities for the international community. It thus provides further impetus for moving the development agenda forward with a renewed sense of urgency.

B. The Habitat Agenda

10. It will be recalled that, in response to the vast array of global human settlements problems calling for concrete remedial action, the General Assembly, in deciding to convene Habitat II, also decided that the Conference should have as one of its main objectives the adoption of a general statement of principles and commitments and the formulation of "a related global plan of action capable of guiding national and international efforts through the first two decades of the next century" (Assembly resolution 47/180, para. 2 (b)). After a two-year process of preparation, deliberation and negotiation, Habitat II, in fulfilment of its mandate, adopted a set of goals, principles and commitments and a global plan of action, based on interrelated strategies for implementation, all of which together constitute, in the terminology of the Conference, the Habitat Agenda.

11. The Habitat Agenda recalls the fact that human settlements are both a powerful force for human development and the source of many problems. Having set out, in a number of principles and commitments, guidelines for making settlements healthier, safer, more humane and sustainable, the Habitat Agenda then proposes a comprehensive set of objectives and actions, based on two themes: (a) adequate shelter for all and (b) sustainable human settlements development in an urbanizing world. The Habitat Agenda elaborates the substance of these two themes by proposing two basic strategies for implementation: (a) enablement and participation and (b) capacity-building and the development of institutions.

12. The enabling and participatory strategy set out in the Habitat Agenda encompasses, among other things, the following:

(a) Increasing participation by women and men;

(b) Creating more effective partnerships;

(c) Increasing responsiveness to community needs;

(d) Instilling a strong sense of public service among public/private sector leaders;

(e) Improving leadership skills at all levels;

(f) Making institutions accountable, open and transparent;

(g) Building technical capacity in government;

(h) Mobilizing adequate financial resources;

(i) Removing barriers to human development;

(j) Achieving universal literacy and continuing general education;

(k) Ensuring accessibility to accurate and relevant information;

(l) Ensuring consistency and coordination through adoption of appropriate policies.

13. These subjects are addressed in chapter IV, section D of the Habitat Agenda wherein objectives and actions are proposed for:

(a) Decentralization and strengthening of local authorities and their associations;

(b) Popular participation and civic engagement;

(c) Human settlements management;

(d) Metropolitan planning and management;

(e) Enhancing domestic financial resources and economic instruments;

(f) Information and communications.

14. The actions proposed under these sections are intended to help generate "institutional capital" for national and local implementation of the Habitat Agenda. They are aimed at establishing and reinforcing, among other things, the training systems, management information systems, research and analytical capabilities, legal and policy frameworks, consultative and participatory processes, communication networks and planning processes that contribute to effective governance. Strengthening these systems is a "first order" of the Agenda to be given priority at all levels. Priorities as set out in the Habitat Agenda reflect in turn the emphasis placed on capacity-building and follow-up in the national plans of action submitted by Governments (as reported below).

C. Partners' expectations

15. One of the main innovations of Habitat II was its way of promoting new partnerships between the United Nations and civil society. National committees included among their members representatives of local authorities and of major groups in national preparations. In partnership with the Habitat II secretariat, local authorities, major groups and their representatives worked throughout the preparatory process to formulate consensus positions on human settlements policy and to identify their own roles and responsibilities in helping to create sustainable human settlements. Committee II of the Conference provided the venue for each major group's presentation of its position and expectations.

16. The principal expectations of these partners, as presented in Committee II, may be summarized as follows: (a) private foundations expect the United Nations to foster consultations with them: a task force was set up to define common tasks; (b) local authorities expect to play a greater role in policy decisions

in their countries: they called for a strategic alliance to be forged between their association's secretariat, to be established this year, and the United Nations, as well as for an enhanced status to be granted to them in the Commission on Human Settlements; (c) academies of science and professional groups underlined the necessity of rethinking the subject of planning in academic research and in graduation requirements: they expect a wider use of academic research in implementing the Habitat Agenda; (d) business leaders expect greater social responsibility to be assumed by the private sector: they ask that the United Nations Centre for Human Settlements (Habitat) set up a task force to provide information to corporations and members of the business community that wish to pursue public-private partnerships; (e) parliamentarians pledged a more proactive position towards human settlements and stressed the importance of partnerships and more effective community involvement; (f) trade unions expect to strengthen their relationship with government, local authorities and the private sector and called for resources to be channelled away from military purposes to social purposes; (g) non-governmental organizations expect that the dialogue process, facilitated by the United Nations Centre for Human Settlements (Habitat), will continue and be strengthened; and (h) organizations of the United Nations system expect that the inter-agency cooperation effort pursued during the Conference process will be carried forward and furthered in the implementation of the Habitat Agenda.

III. IMPLEMENTATION AND FOLLOW-UP

17. International strategies of cooperation and coordination are outlined in the Habitat Agenda, chapter IV, section E. The main strategic objectives and activities presented in that section cover the establishment of an international enabling environment; issues of international finance, external debt and trade; the promotion of the transfer of technology and exchange of information; and the provision of support to technical and institutional cooperation. Institutional arrangements, new responsibilities and coordination mechanisms, primarily within the United Nations system, to implement these strategies are dealt with in chapter IV, section F. Recognizing that the process of reorganization and revitalization of the United Nations system is currently under way, the Habitat Agenda adopted a functional approach to follow-up activities by establishing critical functions for policy and operations and calling for their implementation by the most appropriate entity within the existing structures of the United Nations system.

A. National level

18. Paragraph 213 of the Habitat Agenda states that "Governments have the primary responsibility for implementing the Habitat Agenda. Governments as enabling partners should create and strengthen effective partnerships with women, youth, the elderly, persons with disabilities, vulnerable and disadvantaged groups, indigenous people and communities, local authorities, the private sector and non-governmental organizations in each country". It further indicates that "national mechanisms should be established or improved, as appropriate, to coordinate actions at all relevant government levels that have

an impact on human settlements and to assess this impact prior to governmental actions".

19. In the preparations for Habitat II, the General Assembly and the Preparatory Committee for the Conference had called for a broad-based participatory process at the national level in order to determine priorities for national and international action. National plans of action were thus to be based on an enabling strategy, and to address the issues of human settlements development by involving the full participation and support of all relevant actors. The 124 national reports received by the Habitat II secretariat confirm that national planning processes generally adhered to this pattern, including representatives of national ministries, public and parastatal organizations, local authorities, the scientific and academic community, professional organizations, non-governmental and community-based organizations and the private sector. As part of the consultative process, many workshops, seminars and meetings took place worldwide at the local, national, subregional and regional levels. The national reports reflect the diversity and richness of these consultations (see the note by the Secretariat transmitting the report of the Secretary-General on national reports and national plans of action (A/CONF.165/CRP.5)).

20. Most of the national plans of action contain information on national human settlements conditions and trends as well as on proposed actions in the thematic areas of adequate shelter for all and sustainable human settlements. Poverty reduction, decentralized governance and urban management, disaster preparedness and post-disaster rehabilitation, and follow-up arrangements are other subject areas addressed in most national plans.

21. The main follow-up activity to Habitat II, at the national level, will be the implementation and further development of these national plans of action. Because the United Nations system plays a predominantly supporting and facilitating role in shelter and settlements development, the substantive content of the follow-up by the United Nations system to Habitat II will be guided by national and local priorities for assistance, as outlined in the national reports and as further developed by the national mechanisms recommended in the Habitat Agenda. One hundred out of 124 national reports contained five-year national plans of action in which priorities for assistance were outlined. The design and implementation of international technical cooperation policies and programmes, such as those related to enablement, capacity-building and institutional development, will be based on these national priorities.

22. On the basis of an analysis of existing national plans, the broadest demand for technical assistance and cooperation in the follow-up to Habitat II is likely to be in institutional development, capacity-building and facilitation/enablement, with emphasis on the following components of effective governance for sustainable human settlements: legal frameworks and institutional structures, consultative and participatory processes, research and policy development, planning processes, management systems, financing modalities, training systems, information systems, communication networks, and technology transfer processes.

23. Technical cooperation to be provided by the United Nations system operational activities at the national level is further addressed below.

B. Regional/subregional level

24. Paragraph 221 of the Habitat Agenda states that "the regional commissions, within their mandates and in cooperation with regional intergovernmental organizations and banks, could consider convening high-level meetings to review progress made in implementing the outcome of Habitat II, to exchange views on their respective experiences, particularly on best practices, and to adopt appropriate measures. Such meetings could involve, as appropriate, the participation of the principal financial and technical institutions. The regional commissions should report to the (Economic and Social) Council on the outcome of such meetings". The Habitat Agenda also indicates, in paragraph 213, that "Governments may wish to coordinate the implementation of their national plans of action through enhanced cooperation and partnerships with subregional, regional and international organizations, inter alia, the United Nations system, including the Bretton Woods institutions, which have a very important role to play in a number of countries".

25. The emphasis on the role of the regional commissions in the above provisions of the Habitat Agenda reflects the critical differences that exist among regions of the world with regard to human settlements. The regional commissions are well placed to monitor and support sustainable human settlements development activities that are relevant to the specific context of each region and to exercise a coordinating and integrating role in furthering implementation of the Habitat Agenda at the regional level. A primary responsibility of the regional commissions is to provide advisory services and to strengthen regional networks by which Member States may exchange experience and information, and harmonize national economic, social, environmental and settlement policies and strategies - in particular those that have a critical cross-border impact on, inter alia, migration, shared coastal zones, river basins and ecosystems, watersheds, and pollution and waste management.

C. International level

26. Paragraph 214 of the Habitat Agenda states that "the main intergovernmental actors at the global level for the implementation and follow-up of the Habitat Agenda will continue to be all States, the United Nations General Assembly, the Economic and Social Council, and in particular the Commission on Human Settlements, according to its mandate and role as contained in General Assembly resolution 32/162 of 19 December 1977 and in all other relevant resolutions of the Assembly".

27. In paragraph 215 of the Habitat Agenda, it is noted that "all States should exert concerted efforts to achieve the implementation of the Habitat Agenda through bilateral, subregional, regional, and international cooperation, as well as through the United Nations system, including the Bretton Woods institutions". Subsequent paragraphs contain detailed recommendations on the responsibilities to be exercised by the United Nations machinery in respect of the follow-up to

the Conference, with "special consideration ... given to the roles of the General Assembly and the Economic and Social Council" (para. 216).

1. General Assembly

28. As the highest intergovernmental body, the General Assembly is the principal policy-making and appraisal organ on matters relating to the follow-up of Habitat II. Paragraph 217 of the Habitat Agenda recommends that "at its fifty-second session, the Assembly should review the effectiveness of the steps taken to implement the outcome of the Conference". The same paragraph also states that "at the special session of the General Assembly to be convened in 1997 for the purpose of an overall review and appraisal of Agenda 21, due attention should be given to the issue of human settlements in the context of sustainable development". The Habitat Agenda, in its paragraph 218, also recommends that "the General Assembly should consider holding a special session in the year 2001 for an overall review and appraisal of the implementation of the outcome of Habitat II and should consider further actions and initiatives".

2. Economic and Social Council

29. The Habitat Agenda provides in paragraph 219 that "the Economic and Social Council, in accordance with its role under the Charter of the United Nations and with the relevant General Assembly and Economic and Social Council resolutions and decisions, would oversee system-wide coordination in the implementation of the Habitat Agenda and make recommendations in this regard. The Economic and Social Council should be invited to review the follow-up of the Habitat Agenda at its substantive session of 1997". The Habitat Agenda, in its paragraph 220, also states that "the Economic and Social Council may convene meetings of high-level representatives to promote international dialogue on the critical issues pertaining to adequate shelter for all and sustainable human settlements development as well as on policies for addressing them through international cooperation. In this context, it may consider dedicating one high-level segment before 2001 to human settlements and the implementation of the Habitat Agenda with the active involvement and participation of, inter alia, the specialized agencies, the World Bank and the International Monetary Fund".

30. The Secretary-General would recall, under this heading, that at its substantive session of 1995, the Council, in its agreed conclusions 1995/1, section I.B (first paragraph), 4/ decided that, each year, within the framework of its coordination segment, it would carry out a review of cross-cutting themes common to major international conferences and/or contribute to an overall review of the implementation of the programme of action of a given United Nations conference.

3. Commission on Human Settlements

31. Paragraph 225 of the Habitat Agenda states that "as a standing committee assisting the Economic and Social Council, the Commission on Human Settlements should have a central role in monitoring, within the United Nations system, the

implementation of the Habitat Agenda and advising the Council thereon". It should also "assist the Economic and Social Council in its coordination of the reporting on the implementation of the Habitat Agenda with the relevant organizations of the United Nations system. The Commission should draw upon inputs from other organizations of the United Nations system and other sources, as appropriate" (para. 226). In accordance with paragraph 223 of the Agenda, "taking into account the recommendations of the General Assembly at its fifty-first session, the Commission on Human Settlements should, at its forthcoming session, review its programme of work in order to ensure the effective follow-up and implementation of the outcome of the Conference, in a manner consistent with the functions and contributions of other relevant organs of the United Nations system, and make recommendations thereon to the Economic and Social Council within the framework of its review of the activities of its subsidiary bodies". Paragraph 227 states further: "The Commission on Human Settlements, in developing its work programme, should examine the Habitat Agenda and consider how to integrate in its programme of work the follow-up to the second United Nations Conference on Human Settlements (Habitat II). In this context, the Commission on Human Settlements could consider how it could further develop its catalytic role in promoting adequate shelter for all and sustainable human settlements development". Finally, paragraph 225 of the Agenda notes that the Commission "should have a clear mandate and sufficient human and financial resources, through the reallocation of resources within the regular budget of the United Nations, to carry out that mandate".

4. Other subsidiary bodies of the Economic and Social Council

32. Paragraph 224 of the Habitat Agenda states that "the General Assembly and the Economic and Social Council, in accordance with their respective mandates, are invited to review and strengthen the mandate of the Commission on Human Settlements, taking into account the Habitat Agenda as well as the need for synergy with other related commissions and Conference follow-up, and for a system-wide approach to its implementation".

33. Paragraph 230 of the Agenda recommends that "within their mandates, subsidiary bodies of the Economic and Social Council, such as the Commission on Sustainable Development, the Commission for Social Development, the Commission on the Status of Women, the Commission on Human Rights and the Commission on Population and Development, should give due regard to human settlements issues, as set out in the Habitat Agenda". In paragraph 233, the Habitat Agenda also emphasizes "the important role of the Committee on Economic, Social and Cultural Rights in monitoring those aspects of the Habitat Agenda that relate to States parties' compliance with the International Covenant on Economic, Social and Cultural Rights".

34. It should be noted, in this context, that a number of chapters of Agenda 21 5/ are targeted at the impacts of activities that originate within human settlements. The Habitat Agenda thus provides a useful organizing framework for the implementation of relevant aspects of Agenda 21. In this connection, full advantage will be taken of the reporting system established by the Commission on Sustainable Development, in order, inter alia, to bring information related to sustainable human settlements development, especially as

regards the implementation of chapter 7 of Agenda 21, to the attention of the Commission on Human Settlements.

5. United Nations system organizations

35. Paragraph 234 through 236 address a number of recommendations to United Nations system organizations, including the Bretton Woods institutions, aimed at strengthening 'their support for action at the national level' and at enhancing 'their contributions to an integrated and coordinated follow-up' to Habitat II.

36. In his opening statement at Habitat II, the Secretary-General of the United Nations made, inter alia, the following points which remain valid as a guide to the follow-up to the Conference within the system:

> I have been particularly satisfied to see that this has been a truly system-wide collective effort. Cooperation among the agencies and programmes of the United Nations, including the Bretton Woods institutions, was productive both in the proceedings of the Conference and in the many parallel events. I will spare no effort to ensure that this strong spirit of inter-agency teamwork and interaction will be maintained in the next crucial phase of translating your decisions into concrete action.
>
> In this respect, I would like to emphasize three requirements:
>
> - The individual institutions of the United Nations system must engage in mutually supporting activities. This is particularly important given the multidisciplinary nature of this Conference.
>
> - The follow-up to this Conference must be integrated with the actions under way to implement the outcomes of other recent global conferences. The framework for such integrated follow-up has been set through the thematic task forces established by the United Nations system. The issues covered by these task forces - employment and sustainable livelihood, and the enabling environment and social services, together with the emphasis on the alleviation of poverty - are critical to the implementation of decisions reached at this Conference.
>
> - We must give additional push in the follow-up phase to reinforcing the partnerships between the United Nations and civil society, whose active participation and diverse contributions have made this Conference so singular and so productive.

37. Habitat II, in addition to being a partnership conference, was indeed a system-wide undertaking involving the active participation of, and substantive and financial contribution by, the entire family of organizations, programmes and funds of the United Nations system. As outlined above, these entities will have a major role to play in the implementation and follow-up to Habitat II. Their substantive expertise, information and other resources will be essential to supporting the broad array of activities required to further the implementation of the Habitat Agenda at the international, regional and national

levels. These activities should be effectively harmonized by drawing on available inter-agency coordination mechanisms and through the development and adoption of sectorally integrated policies and strategies for action at all levels. The annex to this report lists substantive areas where collaborative arrangements are already being established or strengthened between Habitat and relevant agencies, funds or programmes of the United Nations system.

38. The Administrative Committee on Coordination (ACC) is the principal inter-agency instrument for ensuring policy and programme coordination among the various organizations of the United Nations system. Pursuant to the invitation contained in the Habitat Agenda for ACC to "review its procedures at the inter-agency level to ensure system-wide coordination and full participation of its entities in the implementation of the Habitat Agenda", ACC, particularly through its Consultative Committee on Programme and Operational Questions (CCPOQ) and its Inter-Agency Committee on Sustainable Development (IACSD), will ensure that there will be an effective inter-agency response to the Habitat Agenda and that adequate consideration is given to the human settlements dimension in all relevant activities of the United Nations system. The further request contained in the Habitat Agenda that its implementation should be included in the mandates of the relevant inter-agency task forces of ACC, particularly those charged with follow-up of United Nations conferences, fully corresponds to the intention of the Secretary-General, as indicated in his opening statement at Habitat II set out above, and is also being actively followed up.

39. Relevant technical cooperation activities to be undertaken by the organizations of the United Nations system in support of the sectoral components of national plans of action will be harmonized, as required, at the country level, through the resident coordinator system. In responding to national needs, the United Nations Centre for Human Settlements (Habitat), in close coordination with the resident coordinator, will provide support to the human settlements component of country strategy notes, where they exist, or other national planning instruments. More generally, it will cooperate with the United Nations Development Programme (UNDP) and other concerned organizations in promoting an effective strengthening and integration of the system's overall support for national action in all phases of planning, execution and monitoring.

40. International financial institutions have a major role to play in the mobilization of resources for the implementation of the Habitat Agenda, at the national and local levels, in such critical areas of human settlements development as infrastructure development, basic services, land, housing finance, transport and communication, energy, the development of the construction and building industry and shelter. The active participation of the World Bank, the International Monetary Fund, and the regional and subregional development banks and funds in Habitat II is testimony to their willingness to enhance policy dialogues and develop new initiatives in this area. Pursuant to the Habitat Agenda, these organizations will seek to integrate further adequate shelter for all and sustainable human settlements development goals in their policies, programmes and operations by, inter alia, giving higher priority to these goals in their lending programmes, wherever applicable. The possibility will also be explored with the World Bank and other concerned organizations of convening consultations involving the Bretton Woods institutions and other

relevant international and regional finance organizations to seek new ways and means of giving priority attention to supporting the implementation of the Habitat Agenda.

6. United Nations Secretariat arrangements

United Nations Centre for Human Settlements (Habitat)

41. It will be recalled that, following the first United Nations Conference on Human Settlements, held in Vancouver, British Columbia, in 1976, and deriving from its recommendations, a consensus developed on the need for institutional arrangements to provide a focal point within the United Nations system to promote and support a concerted and systematic effort by the international community for human settlements development. This resulted in General Assembly resolution 32/162 of 19 December 1977, in which the Assembly established both the Commission on Human Settlements and the United Nations Centre for Human Settlements (Habitat) which provides the Commission's secretariat. Since that time, these institutional arrangements have continued to enhance their capacity for technical competence and innovativeness, as well as effectiveness of operations, as manifested particularly in the Centre's wide-reaching technical cooperation activities covering the vast majority of developing countries.

42. Existing institutional arrangements, comprising the Commission on Human Settlements and the United Nations Centre for Human Settlements (Habitat), have thus contributed to creating heightened awareness and concern worldwide for human settlements issues and, as demonstrated by Habitat II, have succeeded in mobilizing a wide constituency in support of human settlements development. Among the pertinent initiatives engendered over the years, mention might be made of the declaration and observance by the international community of 1987 as the International Year of Shelter for the Homeless, and the adoption by the international community in 1988 of the Global Strategy for Shelter to the Year 2000, 6/ for the implementation of which the Commission and the Centre were designated by the General Assembly to provide leadership at the intergovernmental and the secretariat level, respectively. These initiatives culminated in the second United Nations Conference on Human Settlements (Habitat II) which was first proposed by the Commission on Human Settlements and for which the Centre was designated substantive secretariat by the Assembly. It is also significant to note in this regard that the Commission on Sustainable Development, as contemplated by the 1992 United Nations Conference on Environment and Development, has designated the United Nations Centre for Human Settlements (Habitat) as task manager for the implementation of the human settlements-related chapter of Agenda 21 (chap. 7).

43. In recognition of this contribution, the Habitat Agenda concluded that the United Nations Centre for Human Settlements (Habitat) should be designated as the focal point of its implementation and reaffirmed that the primary function of the Centre is to provide "substantive servicing to the Commission on Human Settlements and other intergovernmental bodies concerned with adequate shelter for all and sustainable human settlements development". An extensive list of the responsibilities to be undertaken by the Centre is set forth in paragraph 228 of the Agenda, which stresses the need for the Centre to "focus on

well-defined objectives and strategic issues". The Agenda adds that "in the light of the review of the mandate of the Commission on Human Settlements ... the functions of the United Nations Centre for Human Settlements (Habitat) will ... need to be assessed with a view to its revitalization" (para. 229).

44. Paragraph 229 further requests the Secretary-General to "ensure more effective functioning of the Centre by, inter alia, providing sufficient human and financial resources within the regular budget of the United Nations". Ways of enhancing the effectiveness of the Centre will be pursued in the context of the overall process of revitalization and strengthening of the economic and social sectors of the Organization currently under way, and guided by the review of the mandate of the Commission and of the functions of the Centre provided for in the Habitat Agenda. At the same time, the possibilities of financial support from non-traditional sources of funding, which have been opened up by the new partnerships established by the Habitat secretariat with, among others, the organized private sector, private foundations and municipal and local authorities, will be actively pursued by the Centre.

D. Involvement of local authorities and civil society, including the private sector

45. By helping to define the interest, capacities and potential roles and contributions of major groups, Habitat II introduced new and innovative working relationships between governmental and non-governmental actors in the human settlements and shelter development field. The Habitat Agenda contains important recommendations aimed at promoting a continuation and strengthening of those relationships, at both the policy development and implementation levels. Attention is drawn in particular to the recommendation that the Commission on Human Settlements should review its working methods in order to involve in its work the representatives of local authorities and the relevant actors of civil society, particularly the private sector and non-governmental organizations in the field of sustainable human settlements and shelter, taking into account its rules of procedure.

46. Given the important role that civil society organizations, local authorities and the private sector can play in the field of human settlements development, the Secretary-General would strongly encourage Member States to facilitate the continuation of the policy dialogues between major groups and partners at the national and local levels, begun with the Habitat II process.

IV. ACTION REQUIRED BY THE GENERAL ASSEMBLY

47. The General Assembly, at its current session, may wish to consider including the following elements in its resolution concerning the implementation of and follow-up to Habitat II:

(a) Calling upon Member States and the international community to commit themselves to full and effective implementation of the Habitat Agenda through the early development and/or strengthening of national plans of action/programmes to achieve the goals of adequate shelter for all and

sustainable human settlements development, including the establishment or improvement of national mechanisms to coordinate actions at all levels;

(b) Calling upon the organizations of the United Nations system to extend their full support to Governments and the international community in the implementation of the Habitat Agenda in the context of an integrated follow-up to all recent global conferences;

(c) Inviting local authorities and all elements of civil society, including the private sector, to contribute actively to the implementation of the Habitat Agenda;

(d) Deciding to give due attention to the issue of human settlements in the context of sustainable development at its 1997 special session on the review of Agenda 21;

(e) Also deciding to review, at its fifty-second session, the effectiveness of the steps taken to implement the outcome of the Conference;

(f) Further deciding to conduct, in the year 2001, an overall appraisal of the implementation of the outcome of Habitat II with a view to considering further actions and initiatives;

(g) Inviting the Economic and Social Council to review the follow-up of the Habitat Agenda at the Council's substantive session of 1997;

(h) Inviting the Commission on Human Settlements to assist the Economic and Social Council in its 1997 review of the follow-up to the Habitat Agenda and review its work programme in order to ensure an effective follow-up and implementation of the outcome of the Conference in a manner consistent with the functions and contributions of other relevant organs of the United Nations system and to make recommendations thereon to the Council in the framework of its review of its subsidiary bodies;

(i) Inviting, within their mandates, subsidiary bodies of the Economic and Social Council to give due regard to human settlements issues as set out in the Habitat Agenda;

(j) Noting the intention of the Secretary-General to ensure effective coordination of the implementation of the Habitat Agenda and adequate consideration of human settlements needs in all activities of the United Nations system, and to include the implementation of the Habitat Agenda in the agenda of the ACC machinery, and in the mandates of the thematic task forces that are promoting an integrated and coordinated follow-up, at the inter-agency level, of the outcomes of recent global conferences.

Notes

1/ Official Records of the General Assembly, Fiftieth Session, Supplement No. 37 (A/50/37).

2/ Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996 (A/CONF.165/14), chap. I, resolution 1, annex II.

3/ Ibid., annex I.

4/ See Official Records of the General Assembly, Fiftieth Session, Supplement No. 3 (A/50/3/Rev.1), chap. III, para. 22.

5/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

6/ Official Records of the General Assembly, Forty-third Session, Supplement No. 8, addendum (A/43/8/Add.1).

ANNEX

Areas of collaboration between Habitat and components of the United Nations system

Collaborative arrangements in substantive areas are being established or strengthened between Habitat and the following organizations, bodies and funds of the United Nations system:

(a) International Labour Organization (ILO): expansion and protection of employment and work, promotion of small- and medium-sized enterprises, cooperative and other measures designed to optimize the impact of shelter-related investment programmes on employment creation and poverty alleviation;

(b) United Nations Educational, Scientific and Cultural Organization (UNESCO): preservation and conservation of settlements of historical and cultural value; networking with education and scientific institutions related to human settlements;

(c) World Health Organization (WHO): strengthening health services and linking public health to basic urban services; joining in and encouraging inter-agency partnerships;

(d) World Bank: supporting the provision of basic urban services, urban environmental improvement and strengthening urban finance; formulation of strategic frameworks to reduce poverty in urban areas of developing countries;

(e) International Monetary Fund (IMF): technical assistance and policy advice on public-private collaboration for increasing private sector funding for housing and infrastructure;

(f) World Meteorological Organization (WMO): linkages between, and impact of urbanization and population growth on, inter alia, climatology, meteorology, operational hydrology and water resources;

(g) United Nations Industrial Development Organization (UNIDO): urban industrial productivity, particularly in the areas of infrastructure development, and the construction and building sectors;

(h) United Nations Conference on Trade and Development (UNCTAD): monitoring major trends of urbanization and the impact of urban policies in connection with changes in the global economic environment and, especially, the implications of international financial liberalization on housing and urban finance in developing countries;

(i) United Nations Environment Programme (UNEP): environmental assessment, monitoring and evaluation, particularly in the areas of sustainable patterns of consumption and production, transportation and waste management strategies, coastal and freshwater resources, hazardous waste management and the reduction and phasing out of ozone-depleting substances and reduction of greenhouse gases;

(j) Office of the United Nations High Commissioner for Refugees (UNHCR): coordination of disaster mitigation, disaster relief and post-disaster rehabilitation and reconstruction efforts, and coordination of refugee repatriation and resettlement initiatives;

(k) World Food Programme (WFP): linking food aid to the provision of rural and urban infrastructure, particularly after civil conflict, with special emphasis on the role of women;

(l) United Nations Development Programme (UNDP): promotion of people-centred development through support to thematic, multisectoral programmes of national Governments, local authorities, non-governmental organizations and other partners through its network of country offices; support for the mobilization and coordination of donor and domestic resources for capacity-building;

(m) United Nations Children's Fund (UNICEF): urban basic services, child protection and defence and promoting social inclusion and equity;

(n) United Nations Population Fund (UNFPA): urban and rural poverty alleviation and eradication through suitable reproductive health programmes and research into the linkages among population, migration and urban growth and their implication for human settlement;

(o) United Nations University (UNU): dissemination of research methods and tools relevant to urbanization and urban development;

(p) Centre for Human Rights: integrating strategies of the Habitat Agenda with ongoing and future human rights activities; establishing field advisory services and technical assistance;

(q) United Nations Volunteers Programme (UNV): stimulating volunteer contributions at all levels in support of vulnerable groups and with a specific view to capacity-building to combat poverty;

(r) United Nations Development Fund for Women (UNIFEM): promoting gender equity and equality in areas covered by the Habitat Agenda.

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PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN

Letter dated 19 September 1996 from the Permanent Representative of Sweden to the United Nations addressed to the Secretary-General

I have the honour, as representative of the host country of the World Congress against Commercial Sexual Exploitation of Children, which was held at Stockholm from 27 to 31 August 1996, to transmit the text of the Declaration and Agenda for Action adopted by the Congress on 28 August 1996 (see annex). The Congress, to which all States Members of the United Nations were invited, was organized by the Government of Sweden in cooperation with the United Nations Children's Fund (UNICEF), End Child Prostitution in Asian Tourism (ECPAT) and the NGO Group for the Convention on the Rights of the Child. I wish to recall that the General Assembly on 21 December 1995 welcomed the convening of this Congress in its resolution 50/153 entitled "The rights of the child".

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the General Assembly under agenda item 106.

(Signed) Peter OSVALD
Ambassador
Permanent Representative of Sweden
to the United Nations

96-24768 (E) 071096 111096

/...

ANNEX

World Congress against Commercial Sexual Exploitation of Children

Declaration and Agenda for Action

Declaration

1. We, gathered in Stockholm for the World Congress against Commercial Sexual Exploitation of Children, representing the Governments of 122 countries, together with non-governmental organisations, the End Child Prostitution in Asian Tourism (ECPAT) campaign, UNICEF and other agencies within the family of the United Nations, and other concerned organisations and individuals worldwide, hereby commit ourselves to a global partnership against the commercial sexual exploitation of children.

The Challenge

2. Every day, more and more children around the world are subjected to sexual exploitation and sexual abuse. Concerted action is needed at the local, national, regional and international levels to bring an end to the phenomena.

3. Every child is entitled to full protection from all forms of sexual exploitation and sexual abuse. This is reaffirmed by the Convention on the Rights of the Child, an international legal instrument of universal significance (of which there are 187 States Parties). States are required to protect the child from sexual exploitation and sexual abuse and promote physical and psychological recovery and social reintegration of the child victim.

4. According to the Convention on the Rights of the Child, the best interests of the child shall be a primary consideration in all actions concerning children, and their rights are to be enjoyed without discrimination of any kind. In all matters affecting the child, the views of the child should be given due weight, in accordance with the age and maturity of the child.

5. The commercial sexual exploitation of children is a fundamental violation of children's rights. It comprises sexual abuse by the adult and remuneration in cash or kind to the child or a third person or persons. The child is treated as a sexual object and as a commercial object. The commercial sexual exploitation of children constitutes a form of coercion and violence against children, and amounts to forced labour and a contemporary form of slavery.

6. Poverty cannot be used as a justification for the commercial sexual exploitation of children, even though it contributes to an environment which may lead to such exploitation. A range of other complex contributing factors include economic disparities, inequitable socio-economic structures, dysfunctioning families, lack of education, growing consumerism, urban-rural migration, gender discrimination, irresponsible male sexual behaviour, harmful traditional practices, armed conflicts and trafficking of children. All these factors exacerbate the vulnerability of girls and boys to those who would seek to procure them for commercial sexual exploitation.

7. Criminals and criminal networks take part in procuring and channeling vulnerable children toward commercial sexual exploitation and in perpetuating such exploitation. These criminal elements service the demand in the sex market created by customers, mainly men, who seek unlawful sexual gratification with children. Corruption and collusion, absence of and/or inadequate laws, lax law enforcement, and limited sensitisation of law enforcement personnel to the harmful impact on children, are all further factors which lead, directly or indirectly, to the commercial sexual exploitation of children. It may involve the acts of a single individual, or be organised on a small scale (eg. family and acquaintances) or a large scale (eg. criminal network).

8. A wide range of individuals and groups at all levels of society contribute to the exploitative practice. This includes intermediaries, family members, the business sector, service providers, customers, community leaders and government officials, all of whom may contribute to the exploitation through indifference, ignorance of the harmful consequences suffered by children, or the perpetuation of attitudes and values that view children as economic commodities.

9. The commercial sexual exploitation of children can result in serious, life-long, even life threatening consequences for the physical, psychological, spiritual, moral and social development of children, including the threat of early pregnancy, maternal mortality, injury, retarded development, physical disabilities and sexually transmitted diseases, including HIV/AIDS. Their right to enjoy childhood and to lead a productive, rewarding and dignified life is seriously compromised.

10. While laws, policies and programmes exist to counter the commercial sexual exploitation of children, greater political will, more effective implementation measures, and adequate allocation of resources are needed to give effect to the spirit and letter of these laws, policies and programmes.

11. The primary task of combatting the commercial sexual exploitation of children rests with the State and families. The civil society also has an essential role to play in preventing and protecting children from commercial sexual exploitation. It is imperative to build a strong partnership between Governments, international organisations and all sectors of society to counter such exploitation.

The Commitment

12. The World Congress reiterates its commitment to the rights of the child, bearing in mind the Convention on the Rights of the Child, and calls upon all States in cooperation with national and international organisations and civil society to:

- Accord high priority to action against the commercial sexual exploitation of children and allocate adequate resources for this purpose;

- Promote stronger cooperation between States and all sectors of society to prevent children from entering the sex trade and to strengthen the role of families in protecting children against commercial sexual exploitation;

- Criminalise the commercial sexual exploitation of children, as well as other forms of sexual exploitation of children, and condemn and penalise all those offenders involved, whether local or foreign, while ensuring that the child victims of this practice are not penalised;

- Review and Revise, where appropriate, laws, policies, programmes and practices to eliminate the commercial sexual exploitation of children;

- Enforce laws, policies and programmes to protect children from commercial sexual exploitation and strengthen communication and cooperation between law enforcement authorities;

- Promote adoption, implementation and dissemination of laws, policies, and programmes supported by relevant regional, national and local mechanisms against the commercial sexual exploitation of children;

- Develop and Implement comprehensive gender-sensitive plans and programmes to prevent the commercial sexual exploitation of children, to protect and assist the child victims and to facilitate their recovery and reintegration into society;

- Create a climate through education, social mobilisation, and development activities to ensure that parents and others legally responsible for children are able to fulfill their rights, duties and responsibilities to protect children from commercial sexual exploitation;

- Mobilise political and other partners, national and international communities, including intergovernmental organisations and non-governmental organisations, to assist countries in eliminating the commercial sexual exploitation of children; and

- Enhance the role of popular participation, including that of children, in preventing and eliminating the commercial sexual exploitation of children.

13. The World Congress adopts this Declaration and Agenda for Action to assist in protecting child rights, particularly the implementation of the Convention on the Rights of the Child and other relevant instruments, to put an end to the commercial sexual exploitation of children worldwide.

Agenda for Action against Commercial Sexual Exploitation of Children

1. The Agenda for Action aims to highlight existing international commitments, to identify priorities for action and to assist in the implementation of relevant international instruments (see appendix). It calls for action from States, all sectors of society, and national, regional, and international organisations, against the commercial sexual exploitation of children.

2. **Coordination and Cooperation:**

i) **Local/National Levels**

a) urgently strengthen comprehensive, cross-sectoral and integrated strategies and measures, so that by the year 2000 there are national agenda(s) for action and indicators of progress, with set goals and time frame for implementation, targeted to reducing the number of children vulnerable to commercial sexual exploitation and nurturing an environment, attitudes and practices responsive to child rights;

b) urgently develop implementation and monitoring mechanism(s) or focal point(s) at the national and local levels, in cooperation with civil society, so that by the year 2000 there are data bases on children vulnerable to commercial sexual exploitation, and on their exploiters, with relevant research and special attention to disaggregating data by age, gender, ethnicity, indigenous status, circumstances influencing commercial sexual exploitation, and respect for confidentiality of the child victims especially in regard to public disclosures;

c) foster close interaction and cooperation between the government and non-government sectors to plan, implement and evaluate measures against the commercial sexual exploitation of children, coupled with campaigns to mobilise families and communities to protect children from commercial sexual exploitation, and with adequate allocation of resources;

ii) **Regional/International Levels**

d) promote better cooperation between countries and international organisations, including regional organisations, and other catalysts which have a key role in eliminating the commercial sexual exploitation of children, including the Committee on the Rights of the Child, UNICEF, ILO, UNESCO, UNDP, WHO, UNAIDS, UNHCR, IOM, the World Bank/IMF, INTERPOL, UN Crime Prevention and Criminal Justice Division, UNFPA, the World Tourism Organization, the UN High Commissioner for Human Rights, the UN Centre for Human Rights, the UN Commission on Human Rights and its Special Rapporteur on the Sale of Children, and the Working Group on Contemporary Forms of Slavery, each taking guidance from the Agenda for Action in their activities in accordance with their respective mandates;

e) advocate and mobilise support for child rights, and ensure that adequate resources are available to protect children from commercial sexual exploitation; and

f) press for full implementation of the Convention on the Rights of the Child by State Parties, including requirements for reporting to the Committee on the Rights of the Child in accordance with existing deadlines, and encourage follow-up of countries' progress towards full realisation of child rights in the context of other relevant United Nations organs, bodies and

mechanisms, including the UN Commission on Human Rights and its Special Rapporteur on the Sale of Children.

3. **Prevention:**

a) provide children with access to education as a means of improving their status and make primary education compulsory and available free to all;

b) improve access and provide relevant health services, education, training, recreation and a supportive environment to families and children vulnerable to commercial sexual exploitation, including those who are displaced, homeless, refugees, stateless, unregistered, in detention and/or in state institutions;

c) maximise education on child rights and incorporate, where appropriate, the Convention on the Rights of the Child into formal and non-formal education for all communities, families and children;

d) initiate gender-sensitive communication, media and information campaigns to raise awareness and educate government personnel and other members of the public about child rights and the illegality and harmful impact of the commercial sexual exploitation of children, and promote responsible sexual attitudes and behaviour in society, in keeping with the child's development, sense of dignity and self-esteem;

e) promote child rights in family education and family development assistance, including an understanding that both parents are equally responsible for their children, with special intervention to prevent sexual violence against children;

f) identify or establish peer education programmes and monitoring networks to counter the commercial sexual exploitation of children;

g) formulate or strengthen and implement gender-sensitive national social and economic policies and programmes to assist children vulnerable to commercial sexual exploitation, families and communities in resisting acts that lead to the commercial sexual exploitation of children, with special attention to family abuse, harmful traditional practices and their impact on girls, and to promoting the value of children as human beings rather than commodities; and reduce poverty by promoting gainful employment, income generation and other supports;

h) develop or strengthen, implement and publicise relevant laws, policies and programmes, to prevent the commercial sexual exploitation of children, bearing in mind the Convention on the Rights of the Child;

i) review laws, policies, programmes and practices which lead to or facilitate the commercial sexual exploitation of children and adopt effective reforms;

j) mobilise the business sector, including the tourism industry, against the use of its networks and establishments for the commercial sexual exploitation of children;

k) encourage media professionals to develop strategies which strengthen the role of the media in providing information of the highest quality, reliability and ethical standards concerning all aspects of commercial sexual exploitation of children; and

l) target those involved with commercial sexual exploitation of children with information, education and outreach campaigns and programmes to promote behavioural changes to counter the practice.

4. Protection:

a) develop or strengthen and implement laws, policies and programmes to protect children and to prohibit the commercial sexual exploitation of children, bearing in mind that the different types of perpetrators and ages and circumstances of victims require differing legal and programmatic responses;

b) develop or strengthen and implement national laws to establish the criminal responsibility of service providers, customers and intermediaries in child prostitution, child trafficking, child pornography, including possession of child pornography, and other unlawful sexual activity;

c) develop or strengthen and implement national laws, policies and programmes that protect child victims of commercial sexual exploitation from being penalised as criminals and ensure that they have full access to child-friendly personnel and support services in all sectors, and particularly in the legal, social and health fields;

d) in the case of sex tourism, develop or strengthen and implement laws to criminalise the acts of the nationals of the countries of origin when committed against children in the countries of destination ("extra-territorial criminal laws"); promote extradition and other arrangements to ensure that a person who exploits a child for sexual purposes in another country (the destination country) is prosecuted either in the country of origin or the destination country; strengthen laws and law enforcement, including confiscation and seizure of assets and profits, and other sanctions, against those who commit sexual crimes against children in destination countries; and share relevant data;

e) in the case of trafficking of children, develop and implement national laws, policies and programmes to protect children from being trafficked within or across borders and penalise the traffickers; in cross border situations, treat these children humanely under national immigration laws, and establish readmission agreements to ensure their safe return to their countries of origin accompanied by supportive services; and share relevant data;

f) identify and strengthen or establish networks between national and international law enforcement authorities, including INTERPOL, and civil society to monitor against the commercial sexual exploitation of children; set up special units among law enforcement personnel, with adequate resources and child-friendly facilities, to counter the commercial sexual exploitation of children; appoint liaison officers aimed at guaranteeing child rights in police investigations and judicial procedures for the exchange of key information; and train all law enforcement personnel on child development and child rights, in particular the Convention on the Rights of the Child, other relevant human rights standards and national legislation;

g) identify and encourage the establishment of national and international networks and coalitions among the civil society to protect children from commercial sexual exploitation; foster action and interaction among communities, families, non-governmental organisations, the business sector, including tourist agencies, the World Tourism Organization, employers and trade unions, computer and technology industry, the mass media, professional associations, and service providers to monitor and report cases to the authorities, and to adopt voluntary ethical codes of conduct; and

h) create safe havens for children escaping from commercial sexual exploitation, and protect those who provide assistance to child victims of commercial sexual exploitation from intimidation and harassment.

5. Recovery and Reintegration:

a) adopt a non-punitive approach to child victims of commercial sexual exploitation in keeping with the rights of the child, taking particular care that judicial procedures do not aggravate the trauma already experienced by the child and that the response of the system be coupled with legal aid assistance, where appropriate, and provision of judicial remedies to the child victims;

b) provide social, medical, psychological counselling and other support to child victims of commercial sexual exploitation, and their families, paying particular attention to those with sexually transmitted diseases, including HIV/AIDS, and with a view to promoting the self-respect, dignity and rights of the child;

c) undertake gender-sensitive training of medical personnel, teachers, social workers, non-governmental organisations and others working to help child victims of commercial sexual exploitation on child development and child rights, bearing in mind the Convention on the Rights of the Child and other relevant human rights standards;

d) take effective action to prevent and remove societal stigmatisation of child victims and their children; facilitate the recovery and reintegration of child victims in communities and families; and where institutionalisation of the child is necessary, ensure that it is for the shortest possible period in accordance with the child's best interests;

e) promote alternative means of livelihood with adequate support services to child victims and their families so as to prevent further commercial sexual exploitation; and

f) adopt not only legal sanctions against the perpetrators of sexual crimes against children, but also socio-medical and psychological measures to create behavioural changes on the part of the perpetrators.

6. Child Participation:

a) promote the participation of children, including child victims, young people, their families, peers and others who are potential helpers of children so that they are able to express their views and to take action to prevent and protect children from commercial sexual exploitation and to assist child victims to be reintegrated into society; and

b) identify or establish and support networks of children and young people as advocates of child rights, and include children, according to their evolving capacity, in developing and implementing government and other programmes concerning them.

Appendix

The Agenda for Action refers to many international instruments, recommendations and targets which have bearing on children and their families. They include the following:

- the 1930 ILO Convention No. 29 concerning Forced or Compulsory Labour
- the 1948 Universal Declaration of Human Rights;
- the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others;
- the 1957 ILO Convention No. 105 concerning the Abolition of Forced Labour;
- the 1966 International Covenant on Civil and Political Rights;
- the 1966 International Covenant on Economic, Social and Cultural Rights;
- the 1973 ILO Convention No. 138 concerning Minimum Age for Admission to Employment;
- the 1979 Convention on the Elimination of All Forms of Discrimination against Women;
- the 1989 Convention on the Rights of the Child;
- the 1990 World Declaration on the Survival, Protection and Development of Children and its Plan of Action;
- the 1992 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Sale of Children, Child Prostitution and Child Pornography;
- the 1993 Vienna Declaration and Programme of Action of the World Conference on Human Rights;
- the 1993 United Nations Declaration on the Elimination of Violence against Women;
- the 1994 Cairo Declaration and Programme of Action of the World Conference on Population and Development;
- the 1995 Copenhagen Declaration and Plan of Action of the World Summit on Social Development;
- the 1995 Beijing Declaration and Platform for Action of the Fourth World Conference on Women;
- the 1996 Programme of Action of the United Nations Commission on Human Rights for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others.

The Agenda for Action takes note of the recommendations of the Committee on the Rights of the Child and the Special Rapporteur on the Sale of Children. It acknowledges the initiatives of many international and regional organisations, including INTERPOL, World Tourism Organization (in particular, the 1995 World Tourism Organization Statement on the Prevention of Organised Sex Tourism) and the Council of Europe (in particular, the 1991 Recommendation No. R91 11 concerning Sexual Exploitation, Pornography and Prostitution of, and Trafficking in, Children and Young Adults). It also recognises the process of evolving a possible Optional Protocol on the sale of children, child prostitution and child pornography.